

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NOLAN JORDAN,

Plaintiff,

v.

ARCE, et al.,

Defendants.

Case No. 1:20-cv-01658-ADA-SAB (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, GRANTING  
DEFENDANTS' MOTION FOR SUMMARY  
JUDGMENT, AND DISMISSING ACTION

(ECF Nos. 38, 41, 52)

Plaintiff Nolan Jordan ("Plaintiff") is proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 5, 2022, the assigned United States Magistrate Judge issued findings and recommendations recommending Defendant's motion for summary judgment for failure to exhaust the administrative remedies be granted and Plaintiff's request for discovery be denied. (ECF No. 52.) It was also recommended that all doe defendants be dismissed from the action pursuant to Federal Rule of Civil Procedure 4(m). (*Id.*) The findings and recommendations were served on the parties and contained notice that any objections were to be filed within twenty-one (21) days after service. (*Id.* at 22.) No objections have been filed and the time to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, the


1 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the  
2 Court finds the findings and recommendations are supported by the record and proper analysis.

3 Accordingly,

- 4 1. The findings and recommendations issued on December 5, 2022, (ECF No. 52),  
5 are ADOPTED IN FULL;
- 6 2. Defendant Arce's motion for summary judgment, (ECF No. 38), is GRANTED;
- 7 3. Plaintiff's request for discovery, (ECF No. 41), is DENIED; and
- 8 4. The instant action is dismissed, without prejudice; and
- 9 5. The Clerk of the Court is directed to close the case.

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12 IT IS SO ORDERED.

13 Dated: January 25, 2023

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UNITED STATES DISTRICT JUDGE